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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/977,943

10/17/2001

Stephen Chen

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7590

04/08/2004

DOUGHERTY & TROXELL
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EXAMINER

PHAN, HUY Q

ART UNIT

PAPER NUMBER

2685

DATE MAILED: 04/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/977,943

Applicant(s)

CHEN, STEPHEN

Examiner

Huy Q Phan

Art Unit

2685

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 October 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Drawings

1. The drawings are objected to because in figure 2, in the first box - -broadcast- - should be corrected. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

2. The examiner suggests the terms "DCS" (which appear in page 5, line 5, in page line 14 and in claim 4, line 4) need to be defined.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-6 are rejected under 35 U.S.C. 102(e) as being anticipated by Maruyama et al. (US-6,430,498).

Regarding claim 1, Maruyama et al. disclose in figures 10 and 5, an apparatus (61) for locating a receiver of radio communication, comprising: a system control unit (71) for controlling the apparatus; a direction detection unit (78) (col. 5, lines 58-62), using a heading direction of a vehicle or the apparatus as a standard direction for judging a direction of the receiver; a longitude-and-latitude detection unit (77) (col. 5, lines 51-56), receiving a satellite's signals by applying a GPS to obtain longitude and latitude data of a user; an operation unit (col. 9, lines 46-47), controlled by the system control unit (71) for receiving signals from the direction detection unit, the longitude-and-latitude detection unit and a following data transmission unit (76); a display unit (72) for displaying display data from the operation unit; the data transmission unit (76) for enabling the operation unit to transform the longitude and latitude data of the user and communication data of an opposite user and for forwarding data to a radio communication interface unit of the opposite user through a radio communication interface unit of the user (col. 8, lines 1-45). Maruyama et al. further disclose said apparatus as an ordinary portable telephone (col. 9, lines 52-53); therefore, it is inherent that an ordinary portable telephone including the radio communication interface unit for establishing radio connection with a radio communication device (col. 10, lines 8-10); a voice transmission unit for transforming voice signals of a voice procession unit and forwarding the transformed voice signals to the opposite user through the radio communication interface unit and for transforming incoming voice signals provided by the radio communication interface unit into signals acceptable to the voice procession unit; the voice procession unit for processing the voice signals from a microphone or the

voice transmission unit; a human-machine interface (73) for the user to input settings of the apparatus; the microphone for the user to input voice; and a speaker for outputting the voice signals of the voice procession unit; wherein, by providing all the units above, the user is able to locate quickly and easily a position of the opposite user.

Regarding claim 2, Maruyama et al. disclose an apparatus as recited in the rejection of claim 1. Maruyama et al. further disclose a data transmission unit (76) as an ordinary portable telephone (col. 9, lines 35-37). Therefore, it is inherent for data transmission unit (76) including an FSK modulation unit and a mix unit for transforming digital data into voice-frequency signals to facilitate transmission of said radio transmission interface unit.

Regarding claim 3, Maruyama et al. disclose an apparatus as recited in the rejection of claim 1, wherein said direction detection unit (78) is selected from a gyroscope, an electronic compass (col. 9, lines 44-45), and a direction detection element that utilizes GPS Doppler effect (col. 9, lines 37-44).

Regarding claim 4, Maruyama et al. disclose an apparatus as recited in the rejection of claim 1, wherein said radio communication device is selected from a GSM system (col. 4, lines 9-10), a DCS system, a radio intercom and a device for radio communication (col. 10, lines 8-10).

Regarding claim 5, Maruyama et al. disclose an apparatus (61) for locating a receiver of radio communication as recited in the rejection of claim 1. Maruyama et al. further disclose said apparatus as an ordinary portable telephone (col. 9, lines 52-53). Therefore, it is inherent that an ordinary portable telephone including a voice procession unit being able to eliminate noises, echoes and unexpected voices.

Regarding claim 6, Maruyama et al. disclose an apparatus as recited in the rejection of claim 1, wherein said human-machine interface (73) is a key-type or touch screen-type input device (col. 9, lines 32-33).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a) Nakajima et al. (US-6,559,794) disclose position determining system.
- b) Nagatsuma et al. (US-2002/0004704 A1) disclose portable GPS receiving device.
- c) McDonald, Jr. et al. (US-6,496,775) disclose method and apparatus of GPS receiver.
- d) Wiedeman et al. (US-5,812,932) disclose mobile satellite user.
- e) Obradovich et al. (US-6,529,824) disclose GPS receiver and display.
- f) Aoki et al. (US-2002/0026280 A1) disclose detection of remaining distance.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huy Q Phan whose telephone number is 703-305-9007. The examiner can normally be reached on 8AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Urban F Edward can be reached on 703-305-4385. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HP
Mar. 23, 2004


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